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Report of the International Law Commission on the work of its seventieth session

Programme budget for the biennium 2018–2019

Report of the International Law Commission on the work of its seventieth session

Programme budget implications of draft resolution A/C.6/73/L.22

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

1. At its 35th meeting, on 13 November 2018, the Sixth Committee adopted draft resolution A/C.6/73/L.22 without a vote. A statement of programme budget implications (A/C.6/73/L.29) was read out to the Committee.

I. Requests contained in the draft resolution

2. Under the terms of operative paragraph 18 of draft resolution A/C.6/73/L.22, the General Assembly would take note of paragraph 395 of the report of the International Law Commission and decide that the next session of the Commission would be held at the United Nations Office at Geneva from 29 April to 7 June and from 8 July to 9 August 2019.

II. Relationship of the proposed request to the biennial programme plan and priorities for the period 2018–2019 and to the programme budget for the biennium 2018–2019

3. The activities referred to in the draft resolution relate to programme 6, Legal affairs, of the biennial programme plan and priorities for the period 2018–2019 (see A/71/6/Rev.1) and to section 8, Legal affairs, of the programme budget for the biennium 2018–2019 (see A/72/6 (Sect. 8) and A/72/6 (Sect. 8)/Corr.1).

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III. Activities by which the proposed requests would be implemented

4. The amount of $3,008,100 included in the programme budget for 2018–2019 under section 8, Legal affairs, for the International Law Commission covers: (a) attendance by the Chair and 33 members at the annual session in Geneva; (b) attendance by the Chair at the regular sessions of the General Assembly during the consideration of the report of the Commission; (c) travel expenses for staff to service the sessions of the Commission; and (d) non-staff compensation, payable at the rate set by the Assembly in its resolution 56/272. The approved budget amount is based on an 11-week session in 2018 and a 10-week session in 2019, with an assumed average attendance at the annual session of 82 per cent of the membership.

5. It is anticipated that the decision to hold the next session of the International Law Commission at the United Nations Office at Geneva from 29 April to 7 June and from 8 July to 9 August 2019, as set out in operative paragraph 18 of the draft resolution, would entail additional resource requirements in the amount of $128,100 for the following:

(a) Travel expenses for members for seven additional days ($114,900);

(b) Travel expenses for staff for seven additional days ($13,200).

IV. Financial implications of the proposal

6. Should the General Assembly adopt draft resolution A/C.6/73/L.22, thus deciding to hold an 11-week session in 2019, additional resources in the amount of $128,100 would be required under section 8, Legal affairs, of the programme budget for the biennium 2018–2019.

Additional resource requirements

(United States dollars)

	Resource requirements for the biennium 2018–2019
Section 8, Legal affairs	
Travel expenses for members	114 900
Travel expenses for staff	13 200
Total	**128 100**

V. Potential for absorption during the biennium 2018–2019

7. As the provisions made in the programme budget for the biennium 2018–2019 for the implementation of the activities requested under operative paragraph 18 of the draft resolution would not be sufficient, and as it is not possible to identify activities within section 8 of the programme budget for the biennium that could be terminated, deferred, curtailed or modified during the biennium at the current stage, it would therefore be necessary to provide additional non-recurrent resources in the amount of $128,100 through an additional appropriation for the biennium 2018–2019.

VI. Contingency fund

8. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures were proposed that exceeded the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

VII. Conclusion and action required of the General Assembly

9. **Should the General Assembly adopt draft resolution A/C.6/73/L.22, additional resource requirements in the amount of $128,100 would arise under section 8, Legal affairs, of the programme budget for the biennium 2018–2019. The amount of $128,100 would represent a charge against the contingency fund and, as such, would require additional appropriation for the biennium 2018–2019 to be approved by the Assembly.**